

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

RICHARD THOMAS CRAVEN,	)	
	)	
Plaintiff,	)	8:07CV38
	)	
v.	)	
	)	
DR. GENSLER, et al.,	)	
	)	
Defendants.	)	
<hr/>	)	
RICHARD THOMAS CRAVEN,	)	
	)	
Plaintiff,	)	8:07CV41
	)	
v.	)	
	)	
DIRECTOR NEWTON, et al.,	)	MEMORANDUM OPINION
	)	
Defendants.	)	
<hr/>	)	

This matter is before the Court on its second order directing the plaintiff to file an updated application for leave to proceed *in forma pauperis* ("IFP") based on changed circumstances (Filing No. 16.) In its first order directing plaintiff to file an updated application for leave to proceed IFP, the Court noted that plaintiff had been released from custody and informed plaintiff that if he wished to continue to pursue these cases, he must file a new application for leave to proceed IFP as a non-prisoner by August 10, 2007 (Filing No. 11.) The Court directed the clerk of court to send the plaintiff the

form for requesting leave to proceed IFP. The Court's records indicate, however, that on July 20, 2007, and July 30, 2007, the IFP form was returned to the court as undeliverable (Filing Nos. 12 & 13.) On August 9, 2007, the plaintiff filed a motion for a speedy trial and request for appointed attorney (Filing No. 15.) In its second order directing the plaintiff to file an updated application for leave to proceed IFP, the Court noted that the return address on this motion did not coincide with the plaintiff's current address of record with the court. Therefore, the Court directed the clerk of court to send the form for requesting leave to proceed IFP to this new address, and gave plaintiff until August 31, 2007, to complete the form and return it to the Court. The plaintiff was warned that if he failed to return the IFP form by August 31, 2007, or failed to keep the Court informed of his current address, this case would be dismissed without further warning. See Neb. Gen. R. 1.3(e) and (g) (requiring pro se parties to adhere to local rules and inform the court of address changes within 30 days). The Court's records show that on August 27, 2007, the IFP form was again returned as undeliverable (Filing No. 18.) This case cannot be prosecuted in this Court if plaintiff's whereabouts remain

unknown. Therefore, plaintiff's complaint will be dismissed without prejudice. A separate order will be entered in accordance with this memorandum opinion.

DATED this 5th day of September, 2007.

BY THE COURT:

/s/ Lyle E. Strom

---

LYLE E. STROM, Senior Judge  
United States District Court